

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

School Education - Elementary Education - Smt. D.Vijayamma, Secondary Grade Teacher (Un-aided), Sri Viswa Bharathi Elementary School (Aided), Venkateswarapuram, Nellore - Proposal for absorption into Grant-in-Aid Post - Rejected - Orders Issued.

EDUCATION (SE PS.II) DEPARTMENT

G.O.Rt. No. 537

Dated: 29 -07-2008

Read the following:-

From the Director of School Education, Hyderabad Lr. Rc. No.
129/b1/2008, dated: 24-04-2008.

-o00o-

O R D E R:-

The Director of School Education has submitted proposal in the reference read above, stating that Smt. D.Vijayamma, has been working as Secondary Grade Teacher (un-aided) in Sri Viswa Bharathi Elementary School (Aided) Venkateswarapuram, Nellore from 10.10.94 to till date without any interpretations She has requested for absorption in the aided post she has also requested the Hon'ble High Court for her absorption in the aided post of SGT. The Hon'ble High Court in its order dated: 29-12-2005 in W.P. NO. 27909/05 made the following Order:-

“The very purpose of requiring the approval of appointment of teachers even against unaided vacancies is to ensure that as and when the aided posts become vacant. The candidates so appointed be absorbed against them without undertaking any further process of selection and appointment. The ban imposed by the Government on appointment operates against induction of new candidates. Orca the appointment of the petitioner has been approved against an unaided vacancy and an aided post has become vacant, there does not exist any justification for the third respondent in delaying the matter.

“For the foregoing reasons, the W.P. is disposed of directing the 3rd respondent (i.e. DEO, Nellore) to consider the proposals submitted by the 4th respondent (i.e Correspondent of Viswabharati Aided Ele. School, Venkateswarapuram) on 01-03-2005 for absorption of the petitioner against an aided vacancy and pass appropriate orders within a period of 4 weeks from the date of receipt of a copy of the order. No costs”.

2. In compliance with the above order of Hon'ble High Court, Smt. D.Vijayamma, S.G.T.,(Un-aided), Sri Viswa Bharathi Elementary School (Aided) Venkateswarapuram, Nellore submitted representation to the Government. The Director of School Education finally requested the Government to issue necessary orders in the matter.

3. Government have earlier examined the issue of approval of the appointments in the un-aided posts made by the managements of the private Aided Schools and issued orders in G.O.Ms. No. 58, Education. Dated:

P.T.O.

02.05.2007 permitting the managements to make appointments to the un-aided posts as per the subject requirements provided they have prescribed qualifications to hold the posts, the service conditions of the un-aided teaching & non teaching staff shall be contractual in nature between the educational agency concerned and the appointee.

4. Government have examined the request of Smt D.Vijayamma, S.G.T.,(un-aided), Sri Viswa Bharathi Elementary School (Aided) Venkateswarapuram, Nellore in terms of ban orders issued in Government Memo. No. 12080/COSE/A2/2004, dt. 20-10-2004 and in compliance with the orders of Hon'ble High Court, and find that the ban orders are still inforce on recruitment/filling up of the aided vacancies and challenged in the Supreme Court in S.L.P. (Civil) No. 9541/07 on the orders of Hon'ble High Court in W.A.No. 1578/05, dt. 29-12-2006 and the out come of the final orders from Supreme Court are awaited. The request for absorption of Smt. D.Vijayamma, S.G.T.(Un-aided), Sri Viswa Bharathi Elementary School (Aided) Venkateswarapuram, Nellore in the aided post of S.G.T. in Viswa Bharathi Elementary School (Aided) Venkateswarapuram, Nellore is therefore not feasible.

5. Government accordingly reject the request of Smt. D.Vijayamma, SGT (Un-aided) Viswa Bharathi Elementary School (Aided) Venkateswarapuram, Nellore for absorption into Grant-in-aid post of SGT in Viswa Bharathi Elementary School (Aided) Venkateswarapuram. The Director of School Education shall take necessary action.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.B.S.VENKATARAMANA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director of School Education, Hyderabad.
The Regional Joint Director of School Education, Guntur.
The District Educational Officer, Nellore.
SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER